

## GOVERNOR FOSS TO RECOMMEND LIFE TERM FOR RICHESON

Commutation of Death Sentence Will Be Urged on Council, It Is Learned.

### PASTOR TO FACE COURT'S RULE TO-DAY

Lawyers Admit He Confessed Murder of Avis Linnell to Gain Executive Clemency.

### PULPIT CONSIDERS CASE

Details of How Poison Was Given to Girl Revealed Little by Little to Minister's Counsel.

[SPECIAL DESPATCH TO THE HERALD.]

BOSTON, Mass., Sunday.—The Rev. Clarence V. T. Richeson, confessed murderer of Miss Avis Linnell, will appear before Judge George A. Sanderson in the Superior Court at four o'clock to-morrow afternoon and plead guilty to murder in the first degree. Immediately the District Attorney



EUGENE N. FOSS, DISTRICT ATTORNEY.

ney, Joseph C. Pelletier, will move this case to be sentenced to death in the electric chair and it is expected that sentence will be imposed.

If Judge Sanderson feels that evidence should be submitted to prove Richeson's guilt, several of the more important government witnesses will be in court ready to testify, but the District Attorney and the lawyers for Richeson do not believe that they will be called upon. The District Attorney and the lawyers for the defense believe there are no legal obstacles in the way of sentencing Richeson to death upon his plea of guilty.

In the case of Edward Green, of Malden, who on December 15, 1895, shot and killed Frank E. Converse and was hanged after he had pleaded guilty, the Supreme Court, to which an appeal from the death sentence was carried, gave an opinion that as the record showed no error, the judgment and sentence were legal and valid.

Governor Foss will recommend to his Council that Richeson's sentence be commuted to life imprisonment. The Governor will not discuss the case for publication, but probably after the court has sentenced Richeson to death he will, in the majority of the Governor's Council, it is said, will vote in favor of the Governor's recommendation.

Lessons to be learned from the Richeson case were referred to in a number of Boston pulpits to-day. The Rev. Herbert G. Johnson spoke of Richeson as "one handicapped in life's race, with an extra heavy burden of temptation and one who fell to greater depths because he fell from a high elevation."

That Richeson is a man of two personalities and was and is insane, was the belief expressed to-day by Frank H. Carter, of Cambridge, one of the leading members of the pastor's one time church, and the man with whom he made his home.

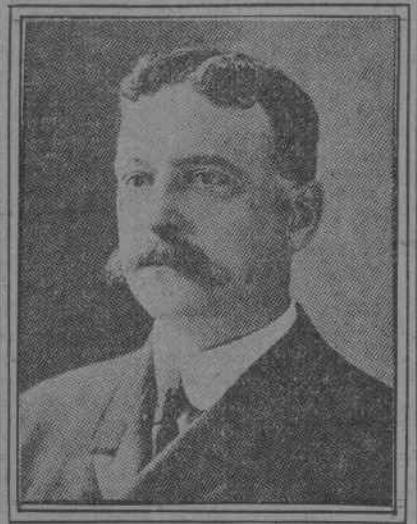
"We are satisfied that it is perfectly legal to impose a sentence of death on a person who pleads guilty to murder in the first degree," said the Assistant District Attorney, Thomas D. Lavelle, "and unless the court insists, we will not call any witnesses. After Richeson has pleaded guilty we are satisfied he will be sentenced to death, but we can't make any positive

predictions, as the matter will rest with the judge."

"The affair is out of our hands after Richeson has been sentenced to death," said the Assistant District Attorney. "What happens after that is up to the defense lawyers and the Governor."

That Richeson made his confession to save his life and for no other reason, as pointed in the Herald to-day, was corroborated to-night by one of his lawyers.

"For weeks," said this lawyer, "Richeson had been telling us conflicting stories. He denied his guilt and gave us what we thought was valuable information that would aid us in proving an alibi. Finally we got from him a story which although somewhat rambling contained a confession of his guilt. Before we got this we sent



JUDGE GEORGE A. SANDERSON

detectives all over the country to obtain evidence in support of what he had told us, and they usually brought back information which showed that he had been lying to us."

"One of the lawyers finally prepared a long statement containing the confession and we took it to the jail but Richeson refused to sign it. On Friday we prepared the statement which was given out as Richeson's confession and after much argument induced him to sign it."

Clemency Move Balked.

"The statement was shown to the District Attorney and an effort made to get him to agree to the imposition of a sentence of life imprisonment, but he would accept nothing but a plea of guilty of first degree murder and a sentence of death and as a last resort we decided to agree to his terms and appeal to the Governor and Council for a commutation of sentence."

"I am satisfied that if Richeson had not thought it was his best chance of escaping death he would never have made a formal confession," the lawyer continued to a reporter of the Herald. "Even now we have not obtained the full and complete story of his relations with Miss Linnell."

Long Denied Guilt.

"From what he has told us and what our detectives have learned we have a fairly complete story of the delivery of the cyanide of potassium to the poor girl. Until very lately he has even denied that he purchased the drug at Hahn's drug store in Newton Centre."

It became known to-day that the detectives for the defense satisfied themselves three weeks ago that Richeson bought the cyanide of potassium in the drug store of Mr. Hahn and that afterward he borrowed a bowl from his landlady and tried to pulverize the poison in it. He told his landlady that he wanted the bowl to mix some paste with which to repair his books. The detectives also discovered that he secured some capsules in a Cambridge drug store and placed the cyanide in one of them and gave it to Miss Linnell on October 11.

He met her the day she died, October 14, and like the day on which he gave her the poison, had lunch with her. On the day of her death he purchased some candy for her in a Back Bay candy store, and when she arrived at the Young Women's Christian Association rooms she gave some of the candy to her roommate, Miss Lucille Zeigler.

Miss Zeigler and the man who sold Richeson the candy, the government depended upon to show that Richeson was with Miss Linnell the day of her death. No witnesses have ever been found who saw them together that day.

Fiance's Father Told.

The defense admitted to-night that weeks ago Mr. Moses Grant Edmonds, father of Richeson's fiancée, Miss Violet Edmonds, was told of her guilt. Soon after he announced to his friends that he had withdrawn his moral support from the accused pastor, but he still would continue to pay the bills in connection with his defense.

Miss Edmonds was not told of her fiancée's guilt, and until a short time, almost daily, she received letters from him written in his cell in the Charles Street Jail, and carried to her by one of Richeson's attorneys.

The Rev. W. S. Hiscok occupied the pulpit of Emmanuel Parish Church, of which Richeson was pastor when he was arrested, to-day, but he made no reference to Richeson or his confession. Many members of the church declare now that they have always believed that Richeson was guilty, but have refrained from saying so to protect the good name of the church.

In Hyannis, the home of Avis Linnell, almost daily, she received letters from him written in his cell in the Charles Street Jail, and carried to her by one of Richeson's attorneys.

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## Aged Benefactor of Poor and His Wife Are Murdered

Absence from Synagogue for Several Days Leads to Finding of Bodies of Mr. and Mrs. Isaac Futterman in Norfolk Street Tenement.

SLAYER LEAVES NOT A SINGLE CLEW

Isaac Futterman, a retired dealer in poultry, and his wife, Rachel, were found murdered yesterday morning in their home, No. 101 Norfolk street. Their bodies were discovered by a policeman, who entered the apartment by a fire escape after a son of the murdered couple had learned that they had not been seen since last Wednesday.

Propped upon a couch was the body of Mr. Futterman, a gas over his right eye where he had been struck by some heavy instrument. In a bed on the other side of the room was the body of his wife, and over her right eye was a similar mark. A mattress had been thrown over her body. On Mr. Futterman's body were numerous slashes, which mystified the police. There was nothing to indicate that the murderer had searched for articles of value, although the police last night had found no trace of jewelry valued at several hundred dollars which Mrs. Futterman is said to have owned. No clew was left by the murderer. The weapon which he used was not found in the rooms. There were no signs of a struggle and no finger prints.

Mr. Futterman, who was eighty years old, and his wife, who was seventy-two, were seen alive the last time soon after ten o'clock last Wednesday morning. They had returned home from the Temple Beth Hamidrash Hagadol, at No. 60 Norfolk street, where they went every morning. Their rooms were at the rear, on the second floor of a five-story tenement. Mrs. Marion Ramer, janitress of the tenement, saw the couple when they entered the house. A few minutes later Mrs. Futterman went down stairs and returned in a few minutes. When neither reappeared the following days none of the other tenants gave the matter any thought, for Mr. and Mrs. Futterman had lived there only four months and had not attempted to make friends.

But they were missed by those accustomed to see them daily at the synagogue. Not for years had they failed to attend service, and their absence occasioned much comment. Mrs. Rebecca Netek, of No. 247 Monroe street, on Saturday went from the synagogue to the apartment and was unable to obtain a response when she pounded on the door. She telephoned yesterday to Aaron Futterman, son of the couple, who lives at No. 867 East 164th street, and is president of the Knickerbocker Brass Company, at First Avenue and East 121st street. He got Policeman Cullenberry, of the Clinton street station, to climb the fire escape and enter the rooms. The policeman found the window locked and forced the sash.

Coroner Hollenstein and Police Captain Henry Foye after an investigation said they were unable to tell the nature of the instrument used to kill the couple. In the room were found receipts for money which Mr. Futterman had paid to the synagogue and various charities in which he was interested. No money was found in the pockets of the dead man.

While the police were examining the rooms Miss Erika Futterman, a daughter of the couple, arrived. She became hysterical and was taken to the police station. She said she lived in Water street and that she had called at her parents' home Thursday and Saturday. When she had not been able to get in she concluded, she said, that they had gone to the home of her brother, Miss Futterman and her brother both declared that their parents had no enemies.

For twenty years, the police learned, Mr. Futterman had conducted a poultry store at No. 247 Monroe street. When he retired from business eight months ago his son opened for him an account in the bank of M. and L. Jarmulsky, at No. 165 East Broadway. Every week Mr. Futterman drew \$15 from the bank and dispensed the most of it in charity. Because of his many years in business and his willingness to help all who were in want, the aged man was known and loved by thousands on the east side. Yesterday when the news of his murder flashed through the

## URGES INCREASE IN SECOND CLASS RATE

Third Assistant Postmaster General Recommends Additional Cent a Pound for Publications.

WASHINGTON, D. C., Sunday.—Adequate postage rates are discussed at length in the annual report of Third Assistant Postmaster General James J. Britt, made public to-day. Mr. Britt recommends a flat increase of one cent a pound for newspapers and periodicals in connection with his consideration of second class rates. He also recommends that postage stamps be issued to United States Senators, Representatives and executive officials of the government instead of permitting the use of the Congressional frank and penalty envelope as at present.

The report shows that at the close of the last fiscal year 27,884 newspapers and magazines were admitted to second class mail privileges. Postage stamps to the number of 12,775,000,000 were sold last year, the receipts amounting to \$226,489,000.

More than \$5,000,000 money orders, aggregating \$687,715,444, were issued, \$2,000,000 of which were handled as \$2,000,000 of the fees received amounting to \$3,864,319. Mr. Britt recommends the increase of indemnity for lost registered articles of the first class to \$100, and urges that Congress provide for the insurance of mail matter to its full value, with commensurate registry fees.

## GREETED DIVORCED HUSBAND AT PIER

Mrs. Stratford, with Present Spouse's Consent, Meets First One to Inquire About Daughter.

While the Touraine, of the French lines, was making fast at her pier last night, Mrs. Charles Stratford, of No. 543 West 146th street, bade her husband goodby at one end of the pier and hurried to the side of the gangway to greet her divorced husband, Ralph G. Angel, an artist, who arrived on board the vessel from Paris. Mr. Angel and Mrs. Stratford, both smiled as they heartily shook hands.

"Tell me," began Mrs. Stratford, "how is our Mildred?"

"Not a bit well," said Mr. Angel, with some emotion.

Then they walked away, arm in arm. Mrs. Stratford later said:—

"Mr. Angel and I were divorced in Paris five years ago. Our little daughter Mildred is an invalid and Mr. Angel cares for her. I always meet him when he comes over, for I want to hear about my little girl."

When asked where he would live in this city Mr. Angel turned to Mrs. Stratford and said:—

"What is your address?"

"No. 543 West 146th street," she said.

"Yes, I can always be found while I am in this city by calling at that address."

Mrs. Stratford said her husband understood and consented to her seeing Mr. Angel on account of their child.

## RESCUER LOST COAT.

Disappeared When He Entered Burning House—Advertising for It in the Herald.

In the hope that his faith in human nature is not to be entirely shattered, Henry Damann, of No. 2153 Amsterdam avenue, advertises in the Herald this morning for the return of his overcoat which he gave to a man to hold for him while he went into a burning building to aid in a rescue.

The fire was in the old Central House, now unoccupied, near the dam's Dam. Mr. Damann and Policeman Zalko, hearing that a caretaker was supposed to be in the burning building, went in search of the man. Zalko was overcome by smoke and Mr. Damann dragged him to a window and revived him. When firemen arrived Mr. Damann turned to look for the man who had been holding his coat. The man was gone, and so was the coat.

## BLAME KINSMAN IN ROBBERY PLOT

Prisoners Accuse Son-in-Law of the Woman Who Died as Husband Repelled Attack.

[SPECIAL DESPATCH TO THE HERALD.]

NORTH STONINGTON, Conn., Sunday.—Charles Crandall, whose mother-in-law, Mrs. William Rathburn, dropped dead of fright while her husband was returning shot for shot at three men who attacked the home with shotguns and axes, is now accused as the chief plottor in the case. That Crandall sought to get \$800 in Mr. Rathburn's possession and that he disguised and armed the assailants after assigning a particular task to each, is the charge made by the men, Donohue, Larson and Enomizo by name, who have confessed the attack on the home.

Crandall, they testified at their preliminary hearing, told them his father-in-law had disposed of goods valued at \$800, as he would soon move to Westbury, N. Y. In order that the robbery could be accomplished without harm to the robbers, Crandall removed the shot from his father-in-law's shotgun, the men say he told them, and they expected their first demand would be complied with.

They attacked the home early in the evening, banging on the door with axes, demanding that the cash be thrown through a window, and firing shots through the glass to intimidate the aged man. To their surprise, they testified, buckshot came pouring back instead of had put good shells into the barrel. Mrs. Rathburn fainted when the firing first started.

Mr. Rathburn had discovered that some one had tampered with his weapon, and began, her husband testified later, and when he had driven off the attacking party and sought to revive her he discovered she had died from the shock.

All the rest of the night he stood guard over her body, fearing to venture out in search of aid. The three men had been frightened off by the returned fire, and from midday till daylight Mr. Rathburn kept his lonely vigil with the body of his wife.

The Hobby Club, composed of wealthy men of New York who have odd collections, is described in next Sunday's NEW YORK HERALD.

## \$190,000 SPENT IN M'NAMARA TRIAL

Clarence Darrow Issues Statement of Expenditures, Saying Lawyers Were Not Paid as Stipulated.

[SPECIAL DESPATCH TO THE HERALD.]

LOS ANGELES, Cal., Sunday.—During the time the McNamara trial was in preparation and progress, \$190,000 was spent in retaining counsel, preparing for the trial and the fighting the courts up to the point of entering the pleas of guilty, according to a statement given out by Clarence Darrow, who was chief of the McNamara attorneys. None of the lawyers, it is asserted, by Mr. Darrow and Lecompte Davis, received the fees agreed on.

"I am working on my report of disposal of funds to the American Federation of Labor," said Mr. Darrow, "but it is no small task to itemize the numerous expenditures made and the work is slow. We had seven months of it, and there were six or seven lawyers, besides investigators and detectives, looking up prospective jurors, seeking out and questioning witnesses, gathering evidence of every kind available for the defense, and in addition the employment and retention of powder experts and other employees, the whole consuming the fund and not leaving enough to pay the attorneys the full fees agreed on."

Mr. Davis, now defending "Bert" Connors, charged with attempting to blow up the Hall of Records, said he had not received anything like the amount promised him for his part in the case.

## Held as Subway Pickpocket.

Luigi Cursio, giving his address as No. 90 Baltic street, Brooklyn, was held for the Grand Jury yesterday by Chief Magistrate McAdoo on a charge of attempted pocket picking. Cursio was arrested early in the morning at the Bowling Green station of the subway by Detective Griffin. It was alleged he had his hand in the pocket of an inspector of the subway who was pretending to be asleep on a bench.

## Mr. Wickersham in Havana.

HAVANA, Sunday.—Attorney General Wickersham, Mons. Jusserand, the French Ambassador, and their party arrived here this morning from Santiago. They spent the day in sightseeing and to-morrow will visit the wreck of the Maine. They will leave for Washington Tuesday.

## WILL PAY \$1,000 TO FIND ASSAILANT

Monroe F. Ellis, Victim of Mysterious Shooting, Seeks Enemy with Return to Health.

With his first return to health, Mr. Monroe F. Ellis, a wealthy lumber merchant and bank director of Basking Ridge, N. J., who was shot by an unidentified assailant while dining with his family last November, has taken steps toward finding and bringing to justice the man who attempted to take his life.

In another column of the Herald the following advertisement announces his intention:—

REWARD. \$1,000. I will pay one thousand dollars (\$1,000.00) reward for information leading to the arrest and conviction of the person or persons who shot me at my residence at Basking Ridge, N. J., on the evening of November 23, 1911. This reward will be paid upon the certificate of the Prosecutor of the Pleas of Somerset county.

MONROE F. ELLIS.

Bernardsville, N. J., Jan. 8, 1912.

The would-be assassin used a shot gun loaded with heavy slugs. He stood on a small twenty yards from the house and fired at his victim through an open window. Although rumors of various kinds were said to have explained the motive for the assault none of these developed to have been well founded. The publication of the advertisement puts a stop to the story that Mr. Ellis may have known of some person with a grievance who might have wished for revenge.

## PLAYED WITH DYNAMITE.

Exploding Cartridge Injures Three in One Family.

John Guda, seventeen years old, his mother and three-year-old sister, all living at No. 2,500 Arthur avenue, the Bronx, were taken to Fordham Hospital yesterday afternoon suffering with injuries received from an exploding dynamite cartridge which John Guda had been playing with a tin through curiosity.

Parts of the exploding cartridge flew across the room, striking the mother, Mrs. Mary Guda, in the right arm and inflicting a deep laceration. The little sister, Mary, was struck in the temple. John Guda lost three fingers of the right hand. The father had brought the piece of dynamite home from his work.



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G. STUDE, District Passenger Agent, 263 Fifth Avenue, New York City.

## Stern Brothers

Have Arranged for To-day, Monday, Very Exceptional Offerings of

Women's Underwear,  
Corsets,  
Imported Lingerie Waists,  
Silk Petticoats,  
Furs and Fur Garments,  
Dress Silks,  
Cotton Dress Fabrics,  
Household Linens,  
Furniture,  
Lace Curtains,  
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## a Sale of Men's Suits

every garment the product of the Saks tailoring organization, in all the favored fabrics, colorings and models.

Former prices: \$28, \$30, \$33, \$35  
\$38, \$40 and \$45

at \$23

Submitted without comment.